

REMARKS

This amendment is submitted in response to the Examiner's Action dated September 11, 2003. Applicants have amended the claims to more clearly recite the novel features of the invention. No new matter has been added, and the amendments place the claims in better condition for allowance. Applicants respectfully request entry of the amendments to the claims. Where discussion/arguments are provided below in response to the claim rejections, those arguments reference the claims in their amended form.

DRAWING OBJECTIONS

At paragraph 2 of the Office Action, Examiner objects to Figures 1A and 1B for not being designated as --Prior Art--. Accompanying this amendment are formal drawing in which the above figures are designated as prior art. This designation overcomes the objection to the drawings.

At paragraph 3 of the Office Action, the drawings are objected to as failing to include the reference number 269 that was mentioned in the description. Applicants have removed the reference to 269 in the description. The amendment to the description overcomes the drawing objection.

At paragraph 4 of the Office Action, Examiner states that the drawings are subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review." As stated above, Applicants provide herewith the formal drawings, which correct any informality contained in the previously filed drawings. This submission overcomes the present objections.

All three drawing objects have been addressed above, and Applicants therefore, respectfully request removal of the objections to the drawings.

CLAIMS REJECTIONS UNDER 35 U.S.C. § 112

At paragraph 6 of the Office Action, Claim 1 is rejected under 35 U.S.C § 112, second paragraph, as being indefinite. Applicants have amended Claim 1 to remove the indefiniteness

contained therein. The amendment overcomes the §112 rejection. Applicants, therefore, respectfully request reconsideration of the §112 rejection of Claim 1.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

At paragraph 8 of the Office Action, Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flory, et al. (U.S. Patent No. 6,009,476) in view of Chang, et al. (U.S. Patent No. 6,604,136B1). The combination of Flory and Chang (if supported) does not render Applicants' claimed invention unpatentable because the combination fails to suggest to one skilled in the art the features recited by Applicant's claims.

Amended Claim 1 of Applicants' claimed invention recites several key features not suggested by the combination of references. Among these features are the following (paraphrased):

- (1) loading one or more of a plurality of functional components that provide the desired network processor functionality;
- (2) wherein each of the plurality of functional components are independently selectable and provide a respective one of a plurality of network processor services;
- (3) providing a utility that provides an OS-independent communication interface for the plurality of functional components and enables bi-directional communication between the network processor functionality and the OS; and
- (4) first routing a received said packet through the utility, wherein said packet is decoded into a common code understandable by said OS and said functional components, wherein the utility also converts all low and high level APIs of various components into a specific communication type utilized by the network processor functionality.

Applicants' claims also recite:

- (5) loading a customer definable service component within said external (APIs) that includes a customer desired network service, which is operable within said network processor services architecture; and
- (6) dynamically expanding available services to include said customer definable service component on-the-fly.

Flory does not teach or suggest any of the above features and/or the specific functionality associated therewith. Flory provides a description of a device driver that includes a device driver library with selectable execution contexts. However, Flory is a single computer system and all functional features provide singular system operation that is inherently different from a distributed system environment with multiple network processors and other associated features. One skilled in the art would not agree with Examiner's use of features of a single-system device driver as being suggestive of the features provided for network processor services architecture within a distributed system containing multiple network processors.

Examiner correctly agrees that Flory does not teach a network processor and methods of handling packets within a distributed system environment as recited by Applicants' claims. By turning to Chang for support of this feature, however, Examiner ignores the fact that there is absolutely no suggestion within either reference to combine the two systems and/or applications. Absent Applicants' claimed invention, one skilled in the art would not have been inclined to combine Flory's device driver with Chang's APIs and discussion of a network processor. Applicants respectfully request Examiner provide some intrinsic evidence (i.e., not including Applicants' claimed invention or hindsight reasoning) to support combining the two references.

Even if support could be found for the combination, however, the combination itself still does not render Applicants' claimed invention unpatentable since the combination does not suggest each of the 6 listed functional features listed above. For example, neither reference teach or suggest the functionality associated with the "utility" or the specific method of processing received packets including converting the packets into a communication type utilized by the network processor. Also, neither reference teaches or suggests the customer definable service component that is dynamically added to the available services. Other listed features are also not provided by the references or combination thereof.

Given the above reasons, it is clear that the combination of references does not suggest key features of Applicants' invention. One skilled in the art would not find Applicants' invention unpatentable over the combination of references. The above claims are therefore allowable over the combination.

CONCLUSION

Applicants have diligently responded to the Office Action by overcoming several drawing objections and amending the claims to overcome §112 rejections and more clearly recite the novel features of the invention. Applicants have further explained why the claims are not unpatentable over the combination of references. The amendments and arguments overcome the § 112 and §103 rejections, and Applicants, therefore, respectfully request reconsideration of the rejections and issuance of a Notice of Allowance for all claims now pending.

Applicants also respectfully request the Examiner contact the undersigned attorney of record at (512) 542-2100 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,



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